

REMARKS

Claims 1-20 are pending. Claims 1, 2, 4-6, 8, 9, 11-15 and 17-19 have been amended. No new matter has been added.

Claims 5, 12 and 18 stand rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is respectfully overcome in view of the foregoing claim amendments. Applicants request that this rejection be withdrawn.

Claims 1-4, 6-11, 13-17 and 19-20 are rejected under 35 USC 102(e) as being anticipated by Tamura, U.S. Patent No. 6,889,971. This rejection is respectfully traversed.

Claims 1, 8 and 14 have been amended to clarify that the two rotating members can be in one of two states, a contact and pressing state, where the two rollers make contact, and a contact-and-pressing free state, where the two rollers are separated. Support for this amendment can be found in paragraph [0019] of the specification. The claims have been further amended to clarify that once the two rotating members are separated, they remain separated until the sheet stack is completely ejected. Further, the sheet stack continues moving until completely ejected. Applicants submit that Tamura fails to teach or suggest such an arrangement.

Tamura teaches that the pressing force between the two rotating members is decreased before a back end of the sheet stack escapes from the two rotating members (upper roller unit 901 and lower roller unit 912) and that the pressing force between the two rotating members is increased again to carry the sheet stack out to complete ejection. Thus, the device of Tamura does not maintain a separated state of the two rotating members until the sheet stack is completely ejected, as recited in the amended claims. For at least this reason, the features of claims 1, 8 and 14 are not taught or suggested by Tamura.

The remaining claims are allowable at least due to their respective dependencies. Applicants request that this rejection be withdrawn.

Claims 1, 2, 8, 9, 14, 15 and 20 stand rejected under 35 USC 102(e) as being anticipated by Kato, U.S. Patent No. 6,994,339. This rejection is respectfully traversed.

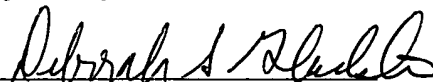
Kato teaches a device in which two rotating members (50 and 71) are separated from each other to stop carrying the sheet of paper before a back end of the sheet separates from the two rotating members and an aligning wall 70 which supports the rotating member 71 moves to push the sheet forward and to align the sheets at the aligning wall 70. Thus, since the sheet stack stops, according to Kato's device, and the claims recite that the sheet stack continues moving until completely ejected, the features of the independent claims are not taught or suggested by Kato.

The remaining claims are allowable at least due to their respective dependencies. Applicants request that this rejection be withdrawn.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772035000.

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Respectfully submitted,

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